

**SUPREME COURT MINUTES
FRIDAY, JUNE 1, 2001
SAN FRANCISCO, CALIFORNIA**

S018665 People, Respondent

v.

Milton Otis Lewis, Appellant

The time for granting or denying rehearing in the above-entitled case is hereby extended to and including August 20, 2001, or the date upon which rehearing is either granted or denied, whichever occurs first.

S020378 People, Respondent

v.

James Phillip Anderson, Appellant

The time for granting or denying rehearing in the above-entitled case is hereby extended to and including August 13, 2001, or the date upon which rehearing is either granted or denied, whichever occurs first.

S928911 People, Respondent

v.

Morris Solomon, Jr., Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to and including June 28, 2001.

S034110 People, Respondent

v.

Mark Christopher Crew, Appellant

On application of respondent and good cause appearing, it is ordered that the time to serve and file respondent's brief is extended to and including July 30, 2001.

S034704 People, Respondent

v.

Charles Stevens, Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to and including June 20, 2001.

S086474 In re Ralph Michael Yeoman
 on
 Habeas Corpus

On application of respondent and good cause appearing, it is ordered that the time to serve and file respondent's informal response to the petition for writ of habeas corpus is extended to and including June 11, 2001.

S092697 John Hess, Plaintiff and Appellant
 v.

Ford Motor Company, Defendant and Appellant

On application of defendant and appellant, Ford Motor Company, and good cause appearing, it is ordered that the time to serve and file the reply brief on the merits is extended to and including July 18, 2001.

No further extensions of time will be granted.

S080638 People, Respondent
 v.
 Steven D. Catlin, Appellant

The request of appellant for 45 minutes for oral argument is granted.

S084105 Manuel Torres et al., Appellants
 v.

Parkhouse Tire Service Inc., et al., Respondents

The request of counsel for respondents in the above-referenced cause to allow two counsel to argue on behalf of respondents at oral argument is hereby granted.

S084105 Manuel Torres et al., Appellants
 v.

Parkhouse Tire Service Inc., et al., Respondents

The request of respondents to allocate to respondent Naas 20 minutes and to respondent Parkhouse Tire Service 10 minutes allotted time for oral argument is granted.

S018033 People, Respondent

v.

Prentice Juan Snow, Appellant

The application of appellant to view sealed records, filed May 1, 2001, is granted. The clerk is directed to send a copy of the following sealed record to counsel for appellant:

Reporter's transcript pages 976-981 of in camera hearing conducted on April 5, 1990, before Judge Jack B. Tso;

Reporter's transcript pages 976-981 of in camera hearing conducted on April 6, 1990, before Judge Jack B. Tso;

Reporter's transcript pages 982-988 of in camera hearing conducted on April 6, 1990, before Judge Jack B. Tso;

Reporter's transcript pages 1-6 of in camera hearing conducted on April 9, 1990, before Judge George Xanthos; and

Reporter's transcript pages 1791-1800 of in camera hearing conducted on April 19, 1990, before Judge Jack B. Tso.

The clerk is also directed to send a copy of the following sealed record to counsel for appellant:

"Supplemental" clerk's transcript, "Confidential Volume III," pp. 517-773;

"Supplemental" clerk's transcript, "Confidential Volume IV," pp. 774-1031;

"Supplemental" clerk's transcript, "Confidential Volume V," pp. 1032-1290;

"Supplemental Three" clerk's transcript, "Volume Eight," pp. 2967A-3253;

"Supplemental Three" clerk's transcript, "Volume Nine," pp. 3254-3471;

Contents of manila envelope labeled "Notice of lodging of transcripts and sealed materials with petition for writ of prohibition," in *Snow v. Superior Court*, B049604, Second Appellate District, Division Two;

Contents of manila envelope labeled "Notice of lodging of additional sealed materials to support of petition for writ of prohibition," in *Snow v. Superior Court*, B049604, Second Appellate District, Division Two.

S096214 In re **David J. Castenholz** on Discipline

It is ordered that **David J. Castenholz, State Bar No. 130687**, be suspended from the practice of law for two years, that execution of suspension be stayed, and that he be placed on probation for two years on condition that he be actually suspended for 60 days. Respondent is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed January 26, 2001. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Business & Professions Code section 6086.10 and payable in equal installments for membership years 2002, 2003, 2004 and 2005.

S096218 In re **Stephen I. Blanchfill** on Discipline

It is ordered that **Stephen I. Blanchfill, State Bar No. 132884**, be suspended from the practice of law for five years and until he provides proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice and present learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct and until he makes specified restitution and furnishes satisfactory proof thereof to the Probation Unit, State Bar Office of the Chief Trial Counsel, that execution of suspension be stayed, and that he be placed on probation for five years on condition that he be actually suspended for 75 days. Respondent is also ordered to comply with the other conditions of probation, including restitution, recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed January 30, 2001. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Business & Professions Code section 6086.10 and payable in equal installments for membership years 2002, 2003 and 2004.

S096219 In re **James Edward Newnham** on Discipline

It is ordered that **James Edward Newnham, State Bar No. 118711**, be suspended from the practice of law for one year, that execution of suspension be stayed, and that he be placed on probation for two years subject to the conditions of probation, including restitution, recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed December 26, 2000, as modified by its order filed March 2, 2001. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.

S096221 In re **Michael Henry Clepper** on Discipline

It is ordered that **Michael Henry Clepper, State Bar No. 30863**, be suspended from the practice of law for three years and until he provides proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice and present learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct, that execution of suspension be stayed, and that he be placed on probation for two years on condition that he be actually suspended for 60 days. Respondent is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed January 25, 2001. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.

S096230 In re **Kenneth Dale Fair** on Discipline

It is ordered that **Kenneth Dale Fair, State Bar No. 87535**, be suspended from the practice of law for one year and until he makes restitution to Tuverson & Hillyard (or the Client Security Fund, if appropriate) in the amount of \$ 678 plus 10% interest per annum from August 3, 1995, and furnishes satisfactory proof thereof to the

Probation Unit, State Bar Office of the Chief Trial Counsel, that execution of the suspension be stayed, and that he be placed on probation for two years subject to the conditions of probation, including restitution, recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed on January 29, 2001. Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.

S096231 In re **Huey Percy Shepard** on Discipline

It is ordered that **Huey Percy Shepard, State Bar No. 31096**, be suspended from the practice of law for six months, that execution of the suspension be stayed, and that he be placed on probation for two years subject to the conditions of probation recommended by the Hearing Department of the State Bar Court in its order approving stipulation executed February 6, 2001. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.

S096261 In re **Rodney James Espinoza** on Discipline

It is ordered that **Rodney James Espinoza, State Bar No. 117657**, be suspended from the practice of law for one year, that execution of the suspension be stayed, and that he be actually suspended from the practice of law for six months as recommended by the Hearing Department of the State Bar Court in its decision filed on January 25, 2001; and until the State Bar Court grants a motion to terminate his actual suspension pursuant to rule 205 of the Rules of Procedure of the State Bar of California. Respondent is also ordered to comply with the conditions of probation, if any, hereinafter imposed by the State Bar Court as a condition for terminating his actual suspension. If respondent is actually suspended for two years or more, he shall remain actually suspended until he provides proof to the satisfaction of the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii) of the Standards for Attorney Sanctions for Professional Misconduct. It is further ordered that respondent comply with rule 955 of the California Rules of Court, and that

he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the effective date of this order.* Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.
*(See Bus. and Prof. Code, § 6126, subd. (c).)

S096352 In re **Bruce A. Brown** on Discipline

It is hereby ordered that **Bruce A. Brown, State Bar No. 140111**, be disbarred from the practice of law and that his name be stricken from the roll of attorneys. Respondent is also ordered to comply with rule 955 of the California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar.
*(See Bus. and Prof. Code, § 6126, subd. (c).)

S096353 In re **Michael Thomas Morrissey** on Discipline

It is ordered that **Michael Thomas Morrissey, State Bar No. 62195**, be suspended from the practice of law for two years and until he provides proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice and present learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct, that execution of suspension be stayed, and that he be placed on probation for two years on condition that he be actually suspended for 45 days. Respondent is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed February 2, 2001. Costs are awarded to the State Bar pursuant to Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.

S096360 In re **Steven E. McNichols** on Discipline

It is ordered that **Steven E. McNichols, State Bar No. 151934**, be suspended from the practice of law for 90 days and until he makes restitution to Regina Locsin and James J. Gilleran, Jr. (or the Client Security Fund, if appropriate) in the amount of \$5,000 plus 10% interest per annum from January 15, 1999, and furnishes

satisfactory proof thereof to the Probation Unit, State Bar Office of the Chief Trial Counsel, that execution of suspension be stayed, and that he be placed on probation for four years subject to the conditions of probation recommended by the Hearing Department of the State Bar Court in its order approving stipulation executed on January 16, 2001. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar and one-fifth of said costs shall be added to and become part of the membership fees for the years 2002, 2003, 2004, 2005 and 2006. (Business & Professions Code section 6086.10.)

S096361 In re **Robert Jess Orduna** on Discipline

It is hereby ordered that **Robert Jess Orduna, State Bar No. 98182**, be disbarred from the practice of law and that his name be stricken from the roll of attorneys. He is also ordered to comply with rule 955 of the California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar.

*(See Bus. and Prof. Code, § 6126, subd. (c).)

S097701 In the Matter of the Resignation of **Patrick R. Frega**
A Member of the State Bar of California

The voluntary resignation of **Patrick R. Frega, State Bar No. 85365**, as a member of the State Bar of California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against respondent should he hereafter seek reinstatement. It is ordered that he comply with rule 955 of the California Rules of Court and that he perform the acts specified in subdivisions (a) and (c) of that rule within 60 and 70 days, respectively, after the date this order is filed.* Costs are awarded to the State Bar.

*(See Bus. and Prof. Code, § 6126, subd. (c).)